

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ALTON BOWENS,

Plaintiff,

-against-

NOTICE OF REMOVAL

Civil Action No.:

LR CREDIT 10, LLC
c/o L-CREDIT, LLC
315 Park Avenue South
New York, NY 10010,

THOMAS HOLLAND
We Serve It For You Process Serving Agency
9 Larrigan Crossing
Brockport, NY 14420,

WE SERVE IT FOR YOU PROCESS
SERVING AGENCY
9 Larrigan Crossing
Brockport, NY 14420,

KERRY LUTZ, ESQ., a partner in the law firm of
Mel S. Harris and Associates, LLC.
116 John Street, Suite 1510
New York, NY 10038,

MEL S. HARRIS, ESQ.
Mel S. Harris and Associates, LLC
116 John Street, Suite 1510
New York, NY 10038,

and

MEL S. HARRIS AND ASSOCIATES, LLC
116 John Street, Suite 1510
New York, NY 10038,

Defendants.

MADAM/SIRS:

Defendants LR Credit 10, LLC, Kerry Lutz, Esq., Mel S. Harris, Esq., and Mel S. Harris and Associates, L.L.C. ("Collection Defendants"), by their attorneys, Lacy Katzen LLP, respectfully allege as follows:

1. On or about April 20, 2007, by the filing of a Summons and Complaint, Plaintiff, Alton Bowens, commenced an action entitled, "Alton Bowens v. LR Credit 10, LLC, Thomas Holland, We Serve It For You Process Servicing Agency, Kerry Lutz, Esq., Mel S. Harris, Esq. and Mel S. Harris and Associates, L.L.C., Index No. I 2007/003843, in the Supreme Court of the State of New York, County of Erie. A copy of said Summons and Complaint is annexed hereto as Exhibit "A," which is part of the Index pursuant to Rule 81 of the Local Rules of Civil Procedure.
2. The Complaint generally alleges causes of action against the Collection Defendants arising from certain alleged violations of the Fair Debt Collection Practices Act ("FDCPA") codified in 15 U.S.C. §1601 et seq.
3. The Notice of Removal is being filed by Collection Defendants within thirty (30) days of the service of the Summons and Complaint and is timely filed pursuant to 28 U.S.C. §§1441 and 1446.
4. Collection Defendants' time to move, answer or otherwise respond to the Complaint has not expired.
5. This Court has original jurisdiction over this civil action pursuant to 28 U.S.C. §1331 as the claims arise out of alleged violations of the Federal FDCPA statute codified in 15 U.S.C. §1601 et seq. as alleged in the Third and Fourth Causes of Action in the Complaint.

6. Written notice of the filing of the Notice of Removal shall be given to all adverse parties, and Collection Defendants shall file the Notice with the Clerk of the Supreme Court of the State of New York, County of Erie, as required by law.

7. Collection Defendants have not answered, moved or otherwise responded to the Complaint, and no other proceedings have occurred heretofore in this action.

8. The complete index of documents filed in the Supreme Court is as follows:

1. Summons and Complaint Filed: April 20, 2007


9. No previous application for the relief request herein has heretofore been made.

WHEREFORE, Collection Defendants respectfully request that this action be removed to the United States District Court for the Western District of New York.

Dated: July 13, 2007
Rochester, New York

Yours, etc.,

LACY KATZEN LLP


Glenn M. Fjermedal, Esq.
The Granite Building
130 East Main Street
Rochester, New York 14604-1686
Telephone: (585) 454-5650
Attorneys for Defendants LR Credit 10,
LLC, Kerry Lutz, Esq., Mel S. Harris, Esq.
and Mel S. Harris and Associates, L.L.C.

TO: Alton L. Bowens
Plaintiff, *Pro Se*
36 Janet Street
Buffalo, New York 14215
Telephone: (716) 836-2793

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ALTON BOWENS,

Plaintiff,

-against-

LR CREDIT 10, LLC
c/o L-CREDIT, LLC
315 Park Avenue South
New York, NY 10010,

THOMAS HOLLAND
We Serve It For You Process Serving Agency
9 Larrigan Crossing
Brockport, NY 14420,

WE SERVE IT FOR YOU PROCESS
SERVING AGENCY
9 Larrigan Crossing
Brockport, NY 14420,

KERRY LUTZ, ESQ., a partner in the law firm of
Mel S. Harris and Associates, LLC.
116 John Street, Suite 1510
New York, NY 10038,

MEL S. HARRIS, ESQ.
Mel S. Harris and Associates, LLC
116 John Street, Suite 1510
New York, NY 10038,

and

MEL S. HARRIS AND ASSOCIATES, LLC
116 John Street, Suite 1510
New York, NY 10038,

Defendants.

**INDEX PURSUANT TO
RULE 81 OF THE LOCAL
RULES OF CIVIL PROCEDURE**
Civil Action No.:

1. Plaintiff's Summons and Complaint, filed in the Erie County Clerk's

Office on or about April 20, 2007.

576355-1

SUPREME COURT OF NEW YORK STATE
COUNTY OF ERIE
ALTON BOWENS,

Plaintiff,

-against-

INDEX NUMBER :

SUMMONS

LR CREDIT 10, LLC
C/O L-CREDIT, LLC
315 PARK AVENUE SOUTH
NEW YORK, NY 10010, MEL HARRIS
AND ASSOCIATES, LLC, KERRY LUTZ, ESQ.
and THOMAS HOLLAND,

Defendants.

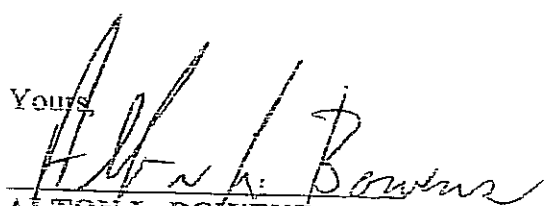
TO THE ABOVE NAMED DEFENDANTS:

YOU, AND EACH OF YOU, ARE **HEREBY SUMMONED** to serve an Answer to the Complaint on the Plaintiff within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York).

IN CASE OF YOUR FAILURE TO APPEAR, judgment will be taken against you by default for the relief demanded in the Complaint, herein.

Dated: Buffalo, New York
April 20, 2007

Yours,


ALTON L. BOWENS

Plaintiff, *Pro Se*

36 Janet Street

Buffalo, New York 14215

Tel: 716-836-2793

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE**

ALTON L. BOWENS,

Plaintiff,

vs.

COMPLAINT

Index No. 12007/003843

**LR CREDIT 10, LLC,
c/o L-CREDIT, LLC
315 Park Avenue South
New York, NY 10010,**

**THOMAS HOLLAND,
We Serve It For You Process Serving Agency
9 Larrigan Crossing
Brockport, New York,**

**WE SERVE IT FOR YOU PROCESS SERVING AGENCY
9 Larrigan Crossing
Brockport, New York,**

**KERRY LUTZ, a partner in the law firm of
Mel S. Harris and Associates, LLC
116 John Street Suite 1510
New York, NY 10038**

**MEL S. HARRIS, ESQ.
Mel S. Harris and Associates, L.L.C.
116 John Street Suite 1510
New York, New York 10038**

--and--

**MEL S. HARRIS AND ASSOCIATES, L.L.C.
116 John Street Suite 1510
New York, New York 10038,**

Defendants.

Plaintiff, *Pro Se*, complaining of defendants, alleges:

1. Plaintiff, ALTON L. BOWENS, resides in the City of Buffalo, County of Erie, and State of New York.
2. Defendant, LR CREDIT 10, LLC, is a Limited Liability Corporation duly organized and existing under and by virtue of the laws of the State of New York, with offices located in care of L-CREDIT, LLC, at No. 315 Park Avenue South, County of New York, City of New York, and State of New York.
3. At all times hereinafter mentioned, defendant MEL S. HARRIS, ESQ., was the attorney of record for defendant LR CREDIT 10, L.L.C. (Hereafter, "L R CREDIT".)
4. Also, at all times hereinafter mentioned, defendant KERRY LUTZ was and is a partner in the law firm of MEL S. HARRIS, ESQ., who personally contributed to the handling of the legal matter handled by said law firm against Plaintiff.
5. MEL S. HARRIS AND ASSOCIATES, LLC is the law firm, on behalf of which, MEL S. HARRIS, ESQ. and KERRY LUTZ, ESQ. abused the legal process against Plaintiff, as described herein.
6. MEL S. HARRIS AND ASSOCIATES, LLC is a debt collector, for purposes of the Fair Debt Collection Practices Act.
7. Defendant MEL S. HARRIS, ESQ. is a debt collector, for purposes of the Fair Debt Collection Practices Act.
8. Defendant, KERRY LUTZ, ESQ. is a debt collector, for purposes of the Fair Debt Collection Practices Act.
9. Defendant WE SERVE IT FOR YOU PROCESS SERVING AGENCY, is a corporation performing the service of legal process and doing other related business in the State of New York.
7. Defendant THOMAS HOLLAND is, at all times herein mentioned a Process Server employed by defendant We Serve It For You Process Serving Agency.
10. On or about March 27-29, 2006, defendant LR CREDIT, by and through its attorney of record, MEL S. HARRIS, ESQ, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, ESQ., partner, intentionally caused an erroneously addressed Summons and Complaint to be issued against Plaintiff ALTON L. BOWENS.

11. Defendant, LR CREDIT, by and through its attorney of record, MEL S. HARRIS, ESQ, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, ESQ. engaged defendants THOMAS HOLLAND and the WE SERVE IT FOR YOU PROCESS SERVING AGENCY to attempt intentionally insufficient service of said Summons and Complaint upon ALTON L. BOWENS.
12. The intentionally insufficient attempted service was made by defendants THOMAS HOLLAND and the WE SERVE IT FOR YOU PROCESS SERVING AGENCY on a number of occasions between March 27 through March 29, 2006, at 70 Northampton Street, Apartment 4, in the City of Buffalo, County of Erie, State of New York.
13. Plaintiff has never resided at 70 Northampton Street, Apartment 4, in the City of Buffalo, County of Erie, State of New York.
14. Plaintiff has not ever represented to any natural person or other entity that he resides or has resided at 70 Northampton Street, Apartment 4, in the City of Buffalo, County of Erie, State of New York.
15. A cursory review of records in the possession and control of defendants LR CREDIT would have made it clear to ALL of the defendants named in this action, that they had no reason to believe that Plaintiff resided at 70 Northampton Street, Apartment 4, Buffalo, New York.
16. It is a reasonable presumption that defendant L R CREDIT examined its files – and so informed its attorneys – prior to its attorneys engaging and directing Defendants WE SERVE IT FOR YOU PROCESS SERVING AGENCY and THOMAS HOLLAND to go to 70 Northampton Street, Buffalo, New York in an attempt to serve process upon ALTON L. BOWENS, SR.
17. At the time of the attempted service, ALL of the defendants named herein knew or should have known that plaintiff ALTON BOWENS did not reside at 70 Northampton Street, apartment 4, in the City of Buffalo, County of Erie, State of New York.
18. More particularly, defendants, THOMAS HOLLAND and WE SERVE IT FOR YOU PROCESS SERVING AGENCY knew or should have known that on the date(s) of the intentionally insufficient attempted service of process, no one lived at 70 Northampton Street, Apartment (4) – particularly not Plaintiff, ALTON L. BOWENS.
19. At the time of the intentionally insufficient attempted service, 70 Northampton Street, Apartment (4) was unoccupied, with a “For Rent” sign posted thereon.
20. Nonetheless, on April 4, 2006, Defendants THOMAS HOLLAND and WE SERVE IT FOR YOU PROCESS SERVING AGENCY claim to have mailed a

copy of the Summons and Complaint to plaintiff at this address, as a follow-up to the aforementioned intentionally insufficient attempted service on a number of occasions between March 27 through March 29, 2006

21. Plaintiff did not receive a copy of the Summons and Complaint at 70 Northampton Street, Buffalo, New York nor at his actual place of residence, 36 Janet Street, Buffalo, New York - where he resided at the time of the attempted service and still resides to this date.
22. Plaintiff has resided at 36 Janet Street, Buffalo, New York, since the year 2003.
23. On June 2, 2006, on behalf of Defendant LR CREDIT 10, Defendants, MEL S. HARRIS, ESQ, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner, secured a Judgment On Default, against Plaintiff and in favor of Defendant LR CREDIT 10, LLC, in Buffalo City Court in LR CREDIT 10, LLC v. ALTON L. BOWENS (Index No. B96836-2006).
24. Defendant LR CREDIT 10 obtained this judgment for an amount not owed by Plaintiff, as the collateral objective in the abuse of process set forth hereinabove.
25. In addition, defendants LR CREDIT 10, MEL S. HARRIS, ESQ., MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner willfully, maliciously, and deliberately used the previously referenced Summons and Complaint and the resulting Default Judgment as the basis for the attachment of the bank account registered to ALTON L. BOWENS at Citizens Bank, Account No. [REDACTED] 201, in Buffalo, New York., as of August 1, 2006.
26. Said bank account was the account utilized by Plaintiff, prior to said attachment, in the usual course of Plaintiff's distribution and marketing business.
27. The unlawful attachment of the account rendered Plaintiff's account -and Plaintiff's distribution and marketing business- completely dysfunctional..

**AS AND FOR A FIRST CAUSE OF ACTION, SOUNDING IN ABUSE OF
PROCESS, PLAINTIFF HEREIN ALLEGES
AS FOLLOWS:**

28. Plaintiff repeats and reiterates the allegations set forth in paragraphs "1" through "21" of this Complaint, as if they were separately and fully set forth in this cause of action.
29. The regular issuance of and the intentionally insufficient attempted service of the Summons and Complaint by Defendants LR CREDIT 10, THOMAS HOLLAND and the WE SERVE IT FOR YOU PROCESS SERVING AGENCY, caused Plaintiff a loss of reputation in the community, as the Summons and Complaint

was left in the plain view of all who came to see 70 Northampton Street Apartment 4, which was "For Rent".

**AS AND FOR A SECOND CAUSE OF ACTION, SOUNDING IN ABUSE OF
PROCESS, PLAINTIFF HEREIN ALLEGES
AS FOLLOWS:**

30. Plaintiff repeats and reiterates the allegations set forth in paragraphs "1" through "26" of the Complaint, as if they were separately and fully set forth in this cause of action.
31. The legal process issued, etcetera, as described hereinabove, was used by **ALL** Defendants named herein in a perverted manner, with their objective to obtain a judgment against Plaintiff, in an amount not owed by Plaintiff.
32. **ALL** Defendants named herein have a record of abusing the process in the manner described hereinabove, including the unauthorized restraint of other consumers' bank accounts.
33. Said restraint caused Plaintiff to lose a great deal of business and potential income.

**AS AND FOR A THIRD CAUSE OF ACTION, PURSUANT TO THE FAIR
DEBT COLLECTION PRACTICES ACT, PLAINTIFF HEREIN ALLEGES
AS FOLLOWS:**

34. The Fair Debt Collection Practices Act, 15 USC Sections 1601, et seq., gives an affected individual a cause of action against a debt collector in either state or federal court.
35. Plaintiff repeats and reiterates the allegations set forth in paragraphs "1" through "26" of the Complaint, as if they were separately and fully set forth in this cause of action.
36. Defendants LR CREDIT 10, MEL S. HARRIS, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner, are debt collectors, pursuant to the Act.
37. Obtaining the Judgment by Default, knowingly based upon an intentionally insufficient service of process was a violation of the Act, by LR CREDIT 10, MEL S. HARRIS, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner.

**AS AND FOR A FOURTH CAUSE OF ACTION, PURSUANT TO THE FAIR
DEBT COLLECTION PRACTICES ACT, PLAINTIFF HEREIN ALLEGES**

AS FOLLOWS:

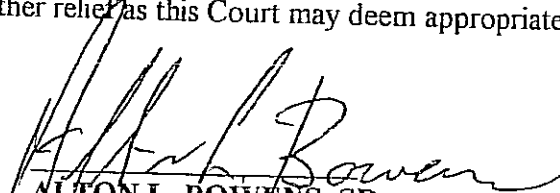
38. Plaintiff repeats and reiterates the allegations set forth in paragraphs "1" through "26" of the Complaint, as if they were separately and fully set forth in this cause of action.
39. Defendants LR CREDIT 10, MEL S. HARRIS, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner, are debt collectors, pursuant to the Act.
40. Enforcement of the Judgment by Default, knowingly based upon an intentionally insufficient service of process by subsequently issuing the Attachment and restraint on Plaintiff's bank account, was a violation of the Act by Defendants MEL S. HARRIS, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner.

**AS AND FOR A FIFTH CAUSE OF ACTION, FOR PUNITIVE DAMAGES,
ABUSE OF PROCESS, PLAINTIFF HEREIN ALLEGES
AS FOLLOWS:**

41. Plaintiff repeats and reiterates the allegations set forth in paragraphs "1" through "26" of the Complaint, as if they were separately and fully set forth in this cause of action.
42. The insufficient service of process, along with the resulting judgment by default and restraint of Plaintiff's bank account, were intentional and malicious.
43. Defendants LR CREDIT 10, THOMAS HOLLAND, WE SERVE IT FOR YOU PROCESS SERVING AGENCY, MEL S. HARRIS, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner, performed the intentional and malicious abuse of the legal process against Plaintiff, as a part of their widespread scheme to collect non-existent debts from unsuspecting consumers.
44. At all times hereinbefore mentioned, Plaintiff was one such unsuspecting consumer.
45. The abuse of the legal process by Defendants LR CREDIT 10, THOMAS HOLLAND, WE SERVE IT FOR YOU PROCESS SERVING AGENCY, MEL S. HARRIS, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner rises to the level where it should be punished with the imposition by this Court of punitive damages against ALL of said Defendants, in favor of Plaintiff.

WHEREFORE, Plaintiff demands a monetary judgment in his favor, and against Defendants, as follows:

- a. \$25,000.00 damages against Defendants LR CREDIT 10, THOMAS HOLLAND and the WE SERVE IT FOR YOU PROCESS SERVING AGENCY, for his **FIRST CAUSE OF ACTION**;
- b. \$50,000.00 damages against **ALL** Defendants named herein, for his **SECOND CAUSE OF ACTION**;
- c. \$ 4,000.00, pursuant to the Fair Debt Collection Practices Act, severally, against Defendants LR CREDIT 10, MEL S. HARRIS, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner, for his **THIRD CAUSE OF ACTION**;
- d. \$ 3,000.00, pursuant to the Fair Debt Collection Practices Act, severally, against Defendants MEL S. HARRIS, MEL S. HARRIS AND ASSOCIATES, LLC and KERRY LUTZ, partner, for his **FOURTH CAUSE OF ACTION**;
- e. A monetary award of punitive damages against **ALL** Defendants named herein, for his **FIFTH CAUSE OF ACTION**;
- f. Costs and attorneys fees, and;
- g. Such other and further relief as this Court may deem appropriate.



ALTON L. BOWENS, SR.

Plaintiff, *Pro Se*

36 Janet Street

Buffalo, New York 14215

Tel: (716) 836-2793

Dated: Buffalo, New York
June 6, 2007

CITY COURT OF BUFFALO
COUNTY OF ERIE

LR CREDIT 10, LLC
C/O L-CREDIT, LLC
315 PARK AVENUE SOUTH
NEW YORK, NY 10010

Plaintiff,

Docket No. B-96836-2006

-against-

ALTON L. BOWENS,
Defendant.

**AFFIDAVIT OF DEFENDANT
IN SUPPORT OF RELIEF
FROM JUDGMENT**

STATE OF NEW YORK ss:
COUNTY OF ERIE

ALTON BOWENS, being duly sworn, deposes and says:

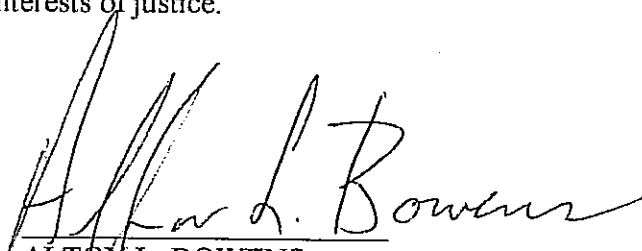
1. I am the defendant in the above entitled action.
2. I reside at 36 Janet Street, in City of Buffalo, County of Erie, State of New York.
3. A judgment by default for the sum of Two Thousand, Four Hundred Eighteen dollars and Two cents (\$2,418.02) was entered against me and in favor of the plaintiff by the clerk of this court on the 2nd day of June, 2006. (Exhibit "A")
4. A copy of the summons and complaint in the above entitled action was never served upon me, therefore, I never appeared, answered or made a motion with respect to the complaint herein.
5. I was first advised that such judgment by default was entered against me, when I was informed, by my bank, of a Restraining Notice that the plaintiff, through its attorney, had restrained my bank account, located at Citizens Bank, in the City of Buffalo, County of Erie, State of New York. (Exhibit "B")
6. I have been advised that there is on file as part of the judgment-roll an affidavit of service made by in which the process server states he served a summons and complaint upon me by "nail and mail service" at 70 Northampton Street, in the City of Buffalo, County of Erie, State of New York.
7. The affidavit of service states that the summons was affixed to the door at 70 Northampton Street, Apt. 4, in the City of Buffalo, County of Erie, State of New York on March 30, 2006 (and later mailed thereto), after attempts to serve me at that address on March 27, 2006 (at 8:04 a.m.) , March 28, 2006 (at 2:42 p.m.) and March 29, 2006 (at

7:35 p.m.)

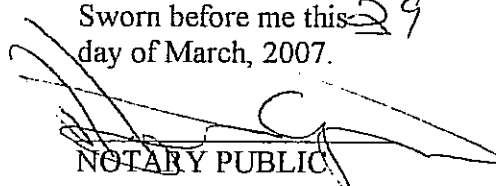
8. Throughout March of 2006, I resided at 36 Janet Street, Buffalo, New York, where I have lived since 2002.
9. Plaintiff is the collection agency for Sears department store.
10. I did have a charge account at Sears, but I cannot - and will not - say that I charged the amount that is alleged in the Judgment On Default.
11. Moreover, Plaintiff never served me with the Summons and Complaint in this case, so Plaintiff had no right to a default judgment against me and no right to send the Restraining Notice that it sent to my bank. (Exhibit "B")
12. Since the issuance of said Restraining Notice, I have been unable to conduct my usual financial business.
13. No previous application has been made for the relief requested herein.

WHEREFORE, deponent respectfully asks this court for an order relieving him from the aforesaid judgment by default and vacating and setting aside said judgment, and granting any other relief this court deems proper, in the interests of justice.

Dated: Buffalo, New York
March 29, 2007


ALTON L. BOWENS

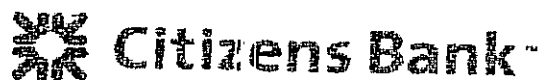
Sworn before me this 29
day of March, 2007.


NOTARY PUBLIC

R. LYNETTE COPELAND
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 4/19/2007

EXHIBIT A

EXHIBIT B



DELIVERED AUG 1 6 2006

August 1, 2006

ALTON L BOWENS
PO BOX 229
BUFFALO NY 14209

RE: Attachment

Dear Customer:

Citizens Bank, N.A has been served with an Attachment against your account. Funds are currently being withheld from your account (s) as follows:

Account	Hold Amount
7201	\$4836.04

We may charge your account a \$75.00 processing fee.

The plaintiff in this matter is LR CREDIT 10, LLC ASSIGNEE OF SEARS.

If you have any questions regarding this matter, please contact MEL HARRIS AND ASSOCIATES, LLC at 212-571-4900.

Very truly yours,

Marjorie Morris
Operations Services
1-888-999-6884

STATE OF NEW YORK
CITY COURT OF BUFFALO
50 DELAWARE AVE.
BUFFALO, NY 14202

RECEIPT

RECEIPT # 363202 DATE: 07-10-2007
TIME: 13:27

RECEIVED FROM:
CASE # COPIES
5

OTHER FEES 3.25

TOTAL DUE: 3.25

PAYMENTS:
CASH 5.25

AMOUNT TENDERED: 5.25

CHANGE: 2.00
OPERATOR: SD

JOHN J. GRUBER

Present: Hon. _____

**CITY COURT OF BUFFALO
COUNTY OF ERIE, STATE OF NEW YORK**

LR CREDIT 10, LLC
C/O L-CREDIT, LLC
315 PARK AVENUE SOUTH
NEW YORK, NY 10010,
Plaintiff,

INDEX NUMBER B96836-2006

-against-

ORDER TO SHOW CAUSE

ALTON BOWENS,

Defendant.

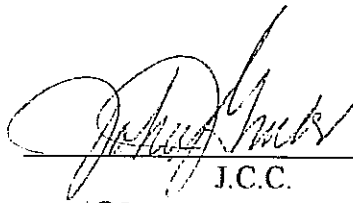
Upon the affidavit of ALTON BOWENS, sworn to on the 15th day of , March, 2007, with Exhibits attached thereto, the judgment by default entered herein on the 2nd day of June, 2006, and upon all the papers and proceedings had herein,

Let the plaintiff, LR CREDIT 10, LLC, show cause at a Special Term of this court to be held at the courthouse thereof, located at 50 Delaware Avenue, Buffalo, New York 14202, at April 4 o'clock 9:30 a.m. of that day, or as soon thereafter as counsel can be heard, why an order pursuant to CPLR 5015(a) (4) should not be made relieving the defendant, ALTON BOWENS from the judgment by default entered herein on the 2nd day of June, 2006, and vacating and setting aside said judgment upon the ground that the court lacked jurisdiction to render such judgment in that a summons and complaint were never served upon the defendant, and why the defendant, ALTON BOWENS should not have such other and further relief as may be just and equitable - including Plaintiff's reimbursement of any fee charged by Defendant's bank, to process the Restraining Notice served on the bank by Plaintiff, based upon said default judgment, and it is

ORDERED, that Plaintiff and the Plaintiff's attorney and all other persons acting through them or on their behalf, be and hereby are, stayed pending the determination of this motion, from any or all proceedings to enforce or collect said judgment.

Sufficient reason appearing therefor, let service, by Overnight mail, of a copy of this order, together with the papers upon which it is granted, upon plaintiff's attorney, Mel S. Harris and Associates, LLC, 116 John Street, Suite 1510, New York, New York 10038, on or before the 3rd day of March 2007, be deemed sufficient service.

Enter,



J.C.C.
JOHN J. GRUBER

APR 03 2007

Seth Schlanger

From: Seth Schlanger
Sent: Monday, June 18, 2007 1:28 PM
To: Angelise Torres
Cc: David Waldman; Mel Harris; Michael Young; Seth
Subject: 576355-1 ALTON BOWENS

AS PER THE STATUS THIS ACCOUNT WAS SOLD.

WE HAVE SINCE RECEIVED AN ERIE COUNTY SUMMONS AND COMPLAINT AGAINST THIS OFFICE, KERRY, LR 10, THE PROCESS SERVICE AGENCY AND THE SERVER. I HAVE A CALL INTO ARTHUR SANDERS RE APPROPRIATE DEFENSE COUNSEL.

PERHAPS THE CLIENT SHOULD RECALL THE CASE FROM THE NEW OWNER THEREOF.

THANKS

SETH

6/18/2007

01:11PM

DEBTOR HISTORY REPORT

06-18-07

Page 1

<u>DEBTOR ID #</u>	<u>NAME</u>	<u>ECOA DESCRIPTION</u>	<u>PHONE NUMBER</u>
576355	ALTON L BOWENS	Authorized user	Home 716-834-2761

<u>DATE OF BIRTH</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>DRIVER'S LICENSE</u>	<u>LANGUAGE</u>
07-37			

LATEST ADDRESS
 36 JANET STREET
 BUFFALO, NY 14209

DEBTOR STATUS: ACCOUNT SOLD
BROKEN PROMISES: 0
NSF CHECKS: 0
COLLECTOR: 007

<u>CLIENT NAME</u>	<u>REF. #</u>	<u>SERVICE DATE</u>	<u>LIST DATE</u>	<u>ACCOUNT STATUS</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>	<u>FEES</u>	<u>BALANCE</u>
LR CREDIT 10, LLC	71899112	12-03-02	12-16-05	ACCOUNT SOLD	.00	.00	.00	.00
<u>TOTAL OWED:</u>								\$.00

<u>EMPLOYER</u>	<u>EMPLOYMENT DETAILS</u>	<u>EMPLOYER ADDRESS</u>	<u>EMPLOYER CITY, STATE, ZIP</u>	<u>EMPLOYER PHONE</u>
BUFFALO BOARD OF EDUCATION	SUB TEACHER	814 NIIAGARA SQ	BUFFALO, NY 14202	716-851-3500

<u>BANK</u>	<u>BANK ACCOUNT NUMBER</u>	<u>BANK ADDRESS</u>	<u>BANK CITY, STATE, ZIP</u>	<u>BANK PHONE</u>

<u>FIRM</u>	<u>ATTORNEY</u>	<u>ATTORNEY ADDRESS</u>	<u>ATTORNEY CITY, STATE, ZIP</u>

DEBTOR PAYMENT HISTORY

<u>PAYMENT DATE</u>	<u>PAYMENT AMOUNT</u>	<u>PAYMENT CODE & DESCRIPTION</u>

PROMISED PAYMENTS

<u>DATE</u>	<u>AMOUNT</u>	<u>POST DATED CHECKS</u>	<u>DATE</u>	<u>AMOUNT</u>

DEBTOR ACTIVITY HISTORY

<u>ACTIVITY DATE</u>	<u>ACTIVITY TIME</u>	<u>ACTIVITY COMMENTS</u>
12-16-2005	05:42PM	Automatic Debtor status change from to NEW.
12-16-2005	05:42PM	New account 576355-1 added.
12-16-2005	.	Open:3/1/1997 DLP:12/3/2002 C/O:6/4/2003
12-16-2005		Purchased from Sherman on 12/16/05
12-16-2005	05:42PM	Changed Collector from 999 to 997
12-28-2005	.	576355-1 Harris letter sent.
01-03-2006	08:45AM	Automatic Debtor status change from NEW to CLI.
01-22-2006	07:52AM	Automatic Debtor status change from CLI to SOS.
01-22-2006	07:52AM	Legal Status Change: 576355-1 from CLI to SOS.
01-22-2006	07:52AM	Changed Collector from 997 to 006
01-24-2006	.	Notice 1-CITY sent for Account 576355-1.

DEBTOR HISTORY REPORT

01:11PM

06-18-07

Page 2

ACTIVITY DATE	ACTIVITY TIME	ACTIVITY COMMENTS
02-02-2006		576355-1 1.Reasonable Letter Sent
02-06-2006		576355-1 Summons Sent to We Serve it For You
02-16-2006	01:20PM	#50 Phoned debtor residence: 716-816-2793 N/A
04-20-2006		576355-1: FB Letter Sent.
04-20-2006		576355-1: Affidavit of Service scanned
04-21-2006	12:16PM	Automatic Debtor status change from SOS to SCS
04-25-2006		Notice 1.CITY-FB sent for Account 576355-1
05-23-2006		576355-1 Judgment Printed in Batch#960
05-23-2006	03:50PM	Automatic Debtor status change from SCS to JSC.
05-25-2006		576355-1 Judgment sent to Court Batch#960
06-08-2006	03:10PM	Automatic Debtor status change from JSC to JEC.
06-08-2006	03:29PM	a
06-08-2006	03:30PM	Automatic Debtor status change from JEC to ROP.
06-08-2006	03:30PM	a
06-08-2006	03:30PM	Changed Collector from 006 to 007.
06-12-2006	11:59AM	Automatic Debtor status change from ROP to BRO.
06-12-2006		576355-1: Judgment scanned.
06-12-2006		576355-1: 426 Letter sent.
06-12-2006		#69**576355-1: RNIS Sent to Evans National Bank
06-20-2006		#69**576355-1: RNIS Sent to Greater Buffalo Saving
06-20-2006		s Bank
06-27-2006		#69**576355-1: RNIS Sent to Buffalo Metropolitan F
06-27-2006		CU
06-30-2006		#69**576355-1: RNIS Sent to Northwest Savings Bank
07-05-2006		#69**576355-1: RNIS Sent to Hsbc Bank Usa
07-11-2006		#69**576355-1: RNIS Sent to CITIZEN BANK
08-02-2006		#69**576355-1: RNIS Sent to MANUFACTURERS & TRADER
08-02-2006		S TC
08-10-2006	07:38AM	Automatic Debtor status change from BRO to MAT.
08-09-2006		576355-1 Bank Match @ CITIZEN BANK
08-09-2006		576355-1: Bank Letter Sent for CITIZEN BANK
08-10-2006		576355-1 Bank Match @ MANUFACTURERS & TRADERS TC
08-10-2006		576355-1: Bank Letter Sent for MANUFACTURERS & TR
08-11-2006	12:58PM	RNIS JOB HIT RDS BD OF ED HAS 2 DRCT DPSTS FRM
08-11-2006	12:58PM	BUFFALO BD OF ED UPDTNG POE WNDW
08-14-2006		576355-1: Info Subpoena sent to Employment.
08-18-2006	03:39PM	Automatic Debtor status change from MAT to NIX.
08-18-2006	03:38PM	#76 Received Correspondence-INFOSUB RCVD FRM BUFFALO
08-18-2006	03:38PM	BOARD OF EDUCATION STATING DEF IS AN ACTIVE EMPLOYEE
08-18-2006	03:38PM	BUT DEF IS A SUB TEACHER PER SAK NO 1.X
08-22-2006	03:15PM	Mail returned.
08-23-2006		576355-1: Info Subpoena - Job Hit scanned.
12-06-2006	10:18AM	Automatic Debtor status change from NIX to ACS.
12-06-2006	10:18AM	Automatic account 576355-1 status change from NIX to ACS.
12-06-2006	10:18AM	\$2,257.55 Principal Balance adjusted to 0.00
12-06-2006	10:18AM	\$171.17 Interest Balance adjusted to 0.00
12-06-2006	10:18AM	\$15.00 Fee Balance adjusted to 0.00
12-06-2006	10:18AM	\$20.00 Fee Balance adjusted to 0.00
12-06-2006	10:18AM	\$1.50 Fee Balance adjusted to 0.00
12-06-2006	10:18AM	\$45.00 Fee Balance adjusted to 0.00
12-06-2006	10:18AM	\$16.00 Fee Balance adjusted to 0.00
12-06-2006	10:18AM	\$20.00 Fee Balance adjusted to 0.00
12-06-2006		576355-1: ACCOUNT SOLD TO SHERMAN on 12/06/06

01:11PM

06-18-07

Page 3

ACTIVITY DATE	ACTIVITY TIME	ACTIVITY COMMENTS
04-02-2007	09:05AM	Automatic Debtor status change from ACS to OSC.
04-02-2007	09:05AM	ORDER TO SHOW CAUSE FWD T WIDHAM FOR REVIEW
04-02-2007	01:57PM	rec'd osc: fwd to angie to fwd to buyer of account
04-02-2007	01:57PM	this osc is returnable 4_4_07!! buffalo city court
04-02-2007	02:01PM	OSC - ORDERED THAT PLAINTIFF AND PLAINTIFF ATTY BE
04-02-2007	02:01PM	STAYED FROM ACTING THROUGH THEM OR ON THEIR BEHALF
04-02-2007	02:01PM	BE AND HEREBY ARE STAYED PENDING DETERMINATION OF THIS
04-02-2007	02:01PM	MTN FROM ANY OR ALL PROCEEDING TO ENFORCE OR
04-02-2007	02:01PM	COLLECT SAIDJUDGMENT FIRST ADVISED THAT SUCH JUDGMENT
04-02-2007	02:01PM	WAS ENTERED AGAINST ME WHEN I WAS INFORMED BY
04-02-2007	02:01PM	MY BANK OF A RNIS NOTICE THROUGH CITIZEN BANK
04-02-2007	02:01PM	DNFT CLAIMS DEFECTIVE SVC CLAIMS LIVED AT CURRENT
04-02-2007	02:01PM	ADDRESS SINCE 2002.
04-02-2007	02:01PM	CRT DTE 4-4-07 CITY COURT BUFFALO @ 9:30
04-02-2007	02:01PM	BANK ACCT VERIFIED- M&T 8.97 CITIZEN BANK
04-02-2007	02:01PM	-1.75
04-02-2007	02:01PM	1EX/PEX NONE
04-02-2007	02:01PM	FWD TO RIC
04-02-2007	02:01PM	NOTE NO PYMNTS
04-02-2007	02:01PM	NOTE ACCT WAS SOLD ACCOUNT SOLD TO SHERMAN on 12/06/06
04-02-2007	02:38PM	email to michael bahner in regards to osc recieved
04-02-2007	02:38PM	for buffolo court
04-02-2007	03:53PM	PER CLIENT :Yes, please get us an adjournment and I
04-02-2007	03:53PM	will arrange for counsel
04-02-2007	05:42PM	E-MAIL ORLANDO RE SETTLEMENT. ALSO E-MAIL RW RE ADJ
04-02-2007	.	576355-1: OSC scanned.
04-02-2007	.	SAN:576355-1 release - CITIZEN BANK
04-02-2007	.	SAN:576355-1 release - MANUFACTURERS & TRADERS TC
04-03-2007	02:51PM	NOTE***ADJ LETTER WAS FAXED AND MAILED OUT
04-03-2007	02:51PM	TO COURT AND DEF****
04-02-2007	.	RGW:576355-1 Court Letter Sent.
04-02-2007	.	RGW:576355-1 Court Letter Sent.
04-03-2007	.	576355-1: COPY OF BANK RELEASE AUTO SENT.
04-06-2007	04:07PM	IT APPEARS RW SENDING LETTER TO COURT FOR ADJ. E-MAIL
04-06-2007	04:07PM	ORL RE SETTLE
04-04-2007	.	576355-1: Decision/Order scanned.
04-05-2007	.	576355-1: Legal Confirmation scanned.
04-05-2007	.	576355-1: Legal Confirmation scanned.
04-05-2007	.	576355-1: Legal Confirmation scanned.
04-05-2007	.	576355-1: Legal Confirmation scanned.
04-09-2007	09:10AM	Judgment Date 06-02-2006
04-09-2007	09:10AM	Amount 2,418.02
04-09-2007	09:11AM	D/O- 4-4-07 AFTER HEARING THE ARGUMENT ALTON BOWENS
04-09-2007	09:11AM	DNFT PROSE AND ??PLAINTIFF AND DUE DELIBERATION
04-09-2007	09:11AM	HAVING BEEN HAD THEREON, IT IS HEREBY
04-09-2007	09:11AM	ORDERED THAT THE JUDGMENT BY DEFAULT HEREIN ON THE
04-09-2007	09:11AM	2ND DAY OF 6-2006 IS HEREBY VACATED AND SET ASIDE.
04-09-2007	09:11AM	PURSUANT TO CPLR 5015 A-4 UPON THE GROUND THAT THE CRT
04-09-2007	09:11AM	LACKED JURDIS TO RENDER SUCH JUDGMENT THEREIN.
04-09-2007	09:11AM	IN THAT A SUMMONS AND COMPLAINT WERE NEVER SERVED UPON
04-09-2007	09:11AM	THE DNFT AND IT IS FURTHER ORDERED THAT THE DNFT ALTON
04-09-2007	09:11AM	**BOWENS SHALL BE REIMBURSED** BY PLAINTIFF
04-09-2007	09:11AM	753.00 FEE CHARGED BY DNFT BANK TO PROCESS THE RNIS

01:11PM

DEBTOR HISTORY REPORT

06-18-07

Page 4

ACTIVITY DATE	ACTIVITY TIME	ACTIVITY COMMENTS
04-09-2007	09:11AM	NOTICE
04-09-2007	09:11AM	SERVED ON DFNT BANK BY PLAINTIFF
04-09-2007	09:11AM	*****1. CHECK REQUEST FOR 75.00*****
04-09-2007	01:25PM	#81 Manager Review-OK 75 BANK FEES *****
04-09-2007	02:06PM	Check #3014 given to Tyiesha on 04/09/2007 for
04-09-2007	02:06PM	575.00.
04-09-2007	04:13PM	check # 3014 given to cartina to mail to dfnt
04-10-2007	08:47AM	NOTE *** CHECK# 3014 AMT 75.00 MAILED TO ABOVE
04-10-2007	08:47AM	ADDRESS. CRTFIED MAIL# 70001670000417094462
04-09-2007	.	SAN:576355-1: 75.00 Check Refund Request for:ALTON
04-09-2007	.	L BOWENS
04-09-2007	.	SAN:576355-1: 75 00 Check Refund Request for:ALTON
04-09-2007	.	L BOWENS
04-10-2007	.	576355-1: CASE DOCS scanned.
04-16-2007	12:57PM	E-MAIL PARA RW IS THIS ON A PRETRIAL D/O SAYS DEF NOT
04-16-2007	12:57PM	SERVED WHY NOT DIMSISSED?
04-18-2007	.	576355-1: CASE DOCS scanned.
04-27-2007	04:41PM	#76 Received Correspondence - FROM DFNT REQUESTING
04-27-2007	04:41PM	VALIDAITON OF ACCT IF WE ARE AGENT PRINCIPLE OR
04-27-2007	04:41PM	ASGGIENEE OF ANOTHER AND WHAT IS THE NAME
04-27-2007	04:41PM	THE CONTRACT OR AGREEMENTT THAT LEGALLY
04-27-2007	04:41PM	DESIGNATED YOU AS ONE OF THE ABOVE
04-27-2007	04:41PM	3) AND AND ALLAGREEMENTS CONTRACTS ETC THAT WOULD BIND
04-27-2007	04:41PM	ME (ALTON BOWENS) A- DATE OF AGREEMENT B-
04-27-2007	04:41PM	SCHEULE OF PMNTS C- BALANCE 4) ANY AND ALL OTHER
04-27-2007	04:41PM	PERTINENT INFO
04-26-2007	.	576355-1: Validation/C & D scanned.
04-30-2007	10:20AM	#50 Phoned debtor residence LM ON MACHINE
04-30-2007	10:20AM	FOR CALLB BACK...
05-03-2007	.	576355-1: CASE DOCS scanned.
05-09-2007	01:46PM	Automatic Debtor status change from OSC to ACS.

Mel S. Harris & Associates, L.L.C.
ATTORNEYS AT LAW
Tel: (866)414-7444 (212)571-4900
Fax: (212)571-0965

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
SAMANTHA ACKERMAN
ROBERT WIDHAM

Address for Payments:
LR CR 10
PO Box 30131
New York, NY 10087-0132

Address for Correspondance:
116 John Street Suite 1510
NEW YORK, NY 10038

ALTON L BOWENS
229 POB 229
BUFFALO, NY 14209



Dated: 12/28/2005 ID: 576355-1
Re: LR CREDIT 10, LLC Assignee of: Sears
Ref #: 0363634940615
Total Due: \$2242.36
Call Your Account Representative at extension 3999

Dear ALTON L BOWENS ;

Please be advised that we are the attorneys for the above. Our client advises that you are indebted to it in the sum stated. Our client further advises that this debt is long past due and owing.

Demand is hereby made upon you for payment of this outstanding indebtedness.

Should you wish to discuss this matter with a view towards reaching an amicable settlement, please do not hesitate to communicate with this office.

Very Truly Yours,

By: _____
Mel S. Harris and Associates, L.L.C.

1. HARRIS

This is a debt collection firm. This is an attempt to collect a debt. Any information obtained will be used for that purpose. Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice this office will provide you with the name and address of the original creditor, if different from the current creditor.

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

Address for Correspondance:
116 John Street Suite 1510
NEW YORK, NY 10038

SETH H. SCHLANGER
SAMANTHA ACKERMAN
ROBERT WIDHAM

Address for Payments:
LRCR 10
PO Box 30132
New York, NY 10087-0132

ALTON L BOWENS
229 POB 229
BUFFALO, NY 14209



ADDRESS SERVICE REQUESTED

Your Account Representative is: Mr. Feliciano at ext.3302

02/02/2006 ID. 576355-1
Re: LR CREDIT 10, LLC Assignee of: Sears
Ref #: 0363634940615
Total Due: \$2,600.95

Dear ALTON L BOWENS;

Our client has asked us to convey to you an exciting way for you to **SAVE MONEY** and liquidate the above balance which is significantly past due.

Our client has authorized us to accept any reasonable settlement amount in order to satisfy this debt in full. One-lump payment settlements will create the largest savings for you. We will also accept offers of partial payment settlements.

The only requirement is that you call this office within ten (10) days after receipt of this letter to discuss how much ***money you will be saving***. After this time frame has elapsed, we will no longer be permitted to help you ***save money***.

Our representatives are here from 8:00 am - 5:00 pm to assist you in this matter and confirm in writing to you any agreed settlement plan.

Sincerely,

Mel S. Harris & Associates, L.L.C.
By: Mel S. Harris, Esq.

This is a debt collection firm. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Mel S. Harris & Associates, LLC

ATTORNEYS AT LAW

Tel: (866)414-7444 (212)571-4900 Fax: (212)571-0965

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
SAMANTHA ACKERMAN
ROBERT WIDHAM
RICHARD ELLISON*
*OF COUNSEL

Address for Correspondance:

116 John Street Suite 1510
NEW YORK, NY 10038

Address for Payments:

LRCR 10
PO Box 30132
New York, NY 10087-0132

ALTON L BOWENS
70 NORTHAMPTON ST APT 4
BUFFALO, NY 14209-2118

ADDRESS CORRECTION REQUESTED

4/20/2006 ID. 576355-1

Re: LR CREDIT 10, LLC

Vs: ALTON L BOWENS

Dear ALTON L BOWENS ;

I am the attorney for the above named client. I have received an affidavit of service from a process server that a summons and complaint has been served upon you with respect to the above entitled action.

The enclosed copy of the summons and complaint is being forwarded to you by regular mail in accordance with New York State Law.

If you wish to discuss this matter to curtail further litigation, it is suggested that you call this office as soon as conveniently possible.

Your prompt response may lead to a very favorable settlement or payment arrangement.

Very Truly Yours,



Mel S. Harris and Associates, L.L.C.

This is a debt collection firm. This is an attempt to collect a debt and any information obtained will be used for that purpose.

CONSUMER CREDIT TRANSACTION

CITY COURT OF THE CITY OF BUFFALO, COUNTY OF ERIE

LR CREDIT 10, LLC

Plaintiff.

Index No. B96836-2006

-AGAINST-

Plaintiff's Residence **SUMMONS**
C/O L-CREDIT, LLC 315 PARK AVE SOUTH
NEW YORK, NY 10010

ALTON L BOWENS
70 NORTHAMPTON ST APT 4
BUFFALO, NY 14209-2118

Defendant(s)

The Basis of Venue is: Defendant's Residence

To the above named defendant(s):

YOU ARE HEREBY SUMMONED to appear in the CITY COURT OF THE CITY OF BUFFALO, COUNTY OF ERIE, at the office of the clerk of the said Court at 50 DELAWARE AVENUE BUFFALO, NY 14202; county of ERIE, State of New York, serving an answer to the annexed complaint upon plaintiff's attorney, at the address stated below, or if there is no attorney, upon the plaintiff, at the address stated above, within the time provided by law as noted below; upon your failure to answer, judgment will be taken against you for the relief demanded in the complaint, together with the costs of this action.

Dated 1/24/2006

By: Mel S. Harris/Seth Schlanger/Samantha Ackerman/Robert Widham/David Waldman
Mel S. Harris and Associates, LLC
Attorneys for Plaintiff
116 John Street Suite 1510
New York, NY 10038
(212)571-4900 ext. 3998

Address for Payments:
LR CR 10
PO Box 30132
New York, NY 10087-0132

Note the law provides that:

- a) If this summons served by its delivery to you, or (for a corporation) an agent authorized to receive service, personally within the county of ERIE, you must answer within 10 days after such service; or
- b) If this summons is served otherwise than as designated in subdivision a) above, you are allowed 30 days to answer after the proof of service is filed with the clerk of this court.
- c) You are required to file a copy of your answer together with proof of service with clerk of the district in which the action is brought within 10 days of the service of the answer.

LR CREDIT 10, LLC

PLAINTIFF(S)

Index No. B96836-2006

COMPLAINT

-AGAINST-

ALTON L BOWENS

DEFENDANT(S)

Plaintiff by its attorneys. Mel S. Harris and Associates LLC, complaining of the defendant(s) respectfully allege upon information and belief as follows:

FIRST CAUSE OF ACTION

1. Plaintiff, LR CREDIT 10, LLC is a LIMITED LIABILITY COMPANY doing business within the State of NY.
2. Upon information and belief defendant(s) resides or is employed in the county in which this action is brought; or that the defendant(s) transacted business within the county in which this action is brought in person or through an agent and that the instant cause of action arose out of said transaction.
3. Upon information and belief that the defendant(s) entered into a Retail Charge Account Agreement, with the Sears wherein defendant(s) agreed to pay Sears all amounts charged to said account by the authorized use thereof.
4. Upon information and belief the agreement containing the terms and conditions governing the use of the charge account, including terms of payment was mailed to defendant(s).
5. Plaintiff, as purchaser and assignee of the account herein, owns and retains all beneficial rights and interests therein.
6. Upon information and belief thereafter defendant incurred charges by use of the said Charge Account in the sum of \$2257.55 no part of which sum has been paid, although duly demanded.
7. Defendant(s) having defaulted in payment under the terms of the agreement has incurred thereby agreed upon reasonable attorney fees of 15.00%, to wit: \$338.63.
8. There is now due and owing to plaintiff from defendant the agreed total sum of \$2596.18 with interest on \$1760.17 from 01-22-2006.

SECOND CAUSE OF ACTION

9. Plaintiff repeats, realleges and reiterates each and every allegation contained in paragraphs 1-8 as if set forth at length.
10. has mailed monthly statements required by the agreement to defendant(s) thereby rendering a full just and true account of all unpaid amounts charged by the defendant(s) which are due and owing, and defendant(s) received, accepted and retained same without objection.
11. By reason of the aforementioned, an ACCOUNT STATED was taken and had between the Plaintiff and defendant(s) for the agreed total balance of \$2257.55.

WHEREFORE. Plaintiff demands judgment against the defendant(s) for the sum of \$2596.18 together with interest on \$1760.17 from 01-22-2006 plus the costs of this action.

Mel S. Harris and Associates LLC
Attorneys for Plaintiff
116 John Street Suite 1510
New York, New York 10038
(212)571-4900 ext. 3998

BUFFALO CITY COURT, COUNTY OF ERIE

LR CREDIT 10, LLC

Index No.: B96836

Court Date: at

Plaintiff

AFFIDAVIT OF SERVICE

v.

ATTY:

ALTON L BOWENS

Mel S. Harris & Associates, LLC

116 John Street

Defendant

New York, NY 10038

I, THOMAS HOLLAND, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the State of New York.

That on APRIL, 01, 2006 at 6:59 PM deponent served the within SUMMONS AND COMPLAINT on ALTON L BOWENS at 70 N HAMPTON, BUFFALO, NY 14208 in the manner indicated below:

TAPING TO DOOR: By taping a true copy of each to the door of said premises, which is defendant's actual place of residence within the State. Deponent was unable, with due diligence to find intended recipient or a person of suitable age and discretion, thereat, having called there on the dates below:

03-27-06 09:00:70 NORTHHAMPTON ST, APT 4:NOT HOME

03-28-06 14:00:70 NORTHHAMPTON ST, APT 4:NOT HOME

03-29-06 20:00:70 NORTHHAMPTON ST, APT 4:NOT HOME

Gender: Race/Skin: Hair: Glasses: Approx. Age: Height: Weight:
Description of Door: BROWN

ADDRESS WAS CONFIRMED BY A NEIGHBOR:

John Doe, 70 Northampton St, Apt 3

MAILING. On 4/4/2006, deponent completed service by depositing a true copy of each document to the above address in a first class, postpaid, properly addressed envelope and deposited said envelope in an official depository under the exclusive care and custody of the U. S. Postal Service within New York State. The envelope bore the legend "personal and confidential" and did not indicate on the outside, thereof by return address or otherwise that the communication was from an attorney or concerned an action against the defendant.

MILITARY SERVICE: Person spoken to was asked whether the recipient was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

I declare under penalties of perjury that the information contained herein is correct to the best of my knowledge.

Thomas Holland
THOMAS HOLLAND

Subscribed and sworn to before me, on APRIL, 04, 2006

John D. Coy
John D. Coy
Notary Public, State of New York
No. 01C06114610, Qualified in Monroe County
My Commission Expires August 23, 2008
Case ID # 05-003135
Attorney Case # 576355-1



576355-1

COPY

Mel S. Harris & Associates, L.L.C.
ATTORNEYS AT LAW
Tel: (866)414-7444 (212)571-4900 Fax: (212)571-0965

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
SAMANTHA ACKERMAN
ROBERT WIDHAM
RICHARD ELLISON*
*OF COUNSEL

Address for Correspondance:
116 John Street Suite 1510
NEW YORK, NY 10038

Address for Payments:
LRCR 10
PO BOX 30132 General Post Office
New York, NY 10087-0132

ALTON L BOWENS
70 NORTHAMPTON ST APT 4
BUFFALO, NY 14209

CITY COURT OF THE CITY OF BUFFALO, COUNTY OF ERIE

LR CREDIT 10, LLC Plaintiff,

INDEX NO. B96836-2006

-against-

ALTON L BOWENS Defendant(s).

NOTICE TO JUDGMENT DEBTOR

Money or property belonging to you may have been taken or held in order to satisfy a judgment or order which has been entered against you. Read this carefully.

YOU MAY BE ABLE TO GET YOUR MONEY BACK

State and federal laws prevent certain money or property from being taken to satisfy judgments or orders. Such money or property is said to be "exempt". The following is a partial list of money which may be exempt:

- | | |
|---|------------------------------------|
| 1. Supplemental security income, (SSI); | 6. Disability benefits; |
| 2. Social security; | 7. Workers compensation benefits; |
| 3. Public assistance (welfare); | 8. Public or private pensions; and |
| 4. Alimony or child support; | 9. Veterans benefits. |
| 5. Unemployment benefits; | |

If you think that any of your money that has been taken or held is exempt, you must act promptly because the money may be applied to the judgment or order. If you claim that any of your money that has been taken or held is exempt, you may contact the person sending this notice.

Also, YOU MAY CONSULT AN ATTORNEY, INCLUDING LEGAL AID IF YOU QUALIFY. The law (New York Civil Practice Law and Rules, article four and sections fifty-two hundred thirty-nine and fifty-two hundred forty) provides a procedure for determination of a claim to an exemption.

Dated: 6/12/2006



Mel. S. Harris and Associates, L.L.C.
Attorney for Judgment Creditor:

LR CREDIT 10, LLC

Plaintiff's Address:

C/O L-CREDIT, LLC 315 PARK AVE SOUTH
NEW YORK, NY 10010

Index No. B96836-2006

against

Plaintiff

JUDGMENT ON DEFAULT

ALTON L BOWENS
70 NORTHAMPTON ST APT 4
BUFFALO, NY 14209-2118

Defendant(s)

Amount claimed in complaint	
Less Attorney fees claimed [waived]	\$ 2596.18
Less Payments Made	\$ -338.63
	\$ 0.00

(Suit Amount Less Payments)

Interest @ 9% on \$1760.17 from 02-14-2006

\$ 2257.55
\$ 42.97

Sub Total (Suit Amount and Interest Less Payments)

\$ 2300.52

Costs By Statute

Index Number Fee

\$20.00

Transcript & Docketing

\$45.00

Service of Summons & Complaint

\$16.00

Prospective Execution Fee

\$15.00

Military Affidavit

\$20.00

Satisfaction Fee

\$1.50

Total Fees

\$0.00

\$ 117.50

Total

\$ 2418.02

KERRY LUTZ, a partner of the firm Mel S Harris And Associates, LLC, attorneys of record for the plaintiff in the above entitled action, states that the disbursements above specified have been or will necessarily be made or incurred therein and are reasonable in amount; that the time of the defendant(s) to appear and answer herein has expired and that said defendant(s) has not appeared and answered herein. The undersigned affirms this statement to be true under the penalties of perjury.

Dated: New York, N.Y.: 06-24-2006

JUN 02 2006

Mel S Harris And Associates, LLC

JUDGMENT ENTERED ON: 20__

Service of the summons and complaint in this action on ALTON L BOWENS the defendant(s) herein having been completed TEN DAYS after 4/10/2006 by the filing on said day of proof of the service by affixing the summons to the door of the defendant(s)'s actual dwelling place or usual place of abode within the state of the defendant(s) and by mailing the summons to defendant(s) at his or her last known residence by first class mail in an envelope bearing the legend "personal and confidential" and not indicating on the outside thereof that it is from an attorney or involves the payment of a debt, and the time of said defendant(s) to appear and answer having expired, and the said defendant(s) not having appeared and answered herein.

NOW, ON APPLICATION OF Mel S Harris And Associates, LLC 116 JOHN STREET NEW YORK, NY 10038 attorneys for the plaintiff(s), IT IS ADJUDGED that LR CREDIT 10, LLC residing at C/O L-CREDIT, LLC 315 PARK AVE SOUTH NEW YORK, NY 10010 recover(s) ALTON L BOWENS defendant(s) whose respective address(s) is/are 70 NORTHAMPTON ST APT 4 BUFFALO, NY 14209-2118 in the sum of \$2357.55 with interest on the sum of \$117.50 costs and disbursements, amounting in all to the sum of \$2418.02 and it is adjudged that the plaintiff have execution therefor.

CLERK _____

2007 JUL 26 AM 10:22



LR CREDIT 10, LLC Assignee of: Sears Plaintiff.

-against-

ALTON L BOWENS Defendant(s).

Defendant Information:

Defendant Name: ALTON L BOWENS DEF'S S.S. NO. [REDACTED]
Last Known Address: 70 NORTHAMPTON ST APT 4
BUFFALO, NY 14209
THE PEOPLE OF THE STATE OF NEW YORK
To: CITIZEN BANK
Address: 525 WILLIAM PENN PL BLDG 1532618
PITTSBURG, PA 15219

GREETING:

WHEREAS, in an action in the above court between LR CREDIT 10, LLC Assignee of: Sears, as plaintiff and ALTON L BOWENS, as defendant (s), who are all the parties named in said action, judgment was entered on 6/2/2006 in favor of plaintiff as judgment creditor and against Defendant(s) as judgment debtor in the amount of 2418.02 of which 2418.02 together with interest from 6/2/2006 remains due and unpaid; and

NOW, THEREFORE WE COMMAND YOU, that you answer in writing under oath, separately and fully, each question in the questionnaire portion of this subpoena, each answer referring to the question to which it responds, and that you return the answers together with original of the questions within 7 days after receipt of this subpoena.

TAKE NOTICE that false swearing or failure to comply with this subpoena is punishable as a contempt of court.

RESTRAINING NOTICE

WHEREAS, it appears that you owe a debt to the judgment debtor or are in possession or in custody of property in which the judgment debtor has an interest; All accounts of deposit whether or not listed above.

TAKE NOTICE that pursuant to subdivision (b) of Section 5222 of the Civil Practice Law and Rules, which is set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such proceeds or pay over or otherwise dispose of any such debt except as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the judgment debtor has an interest now or hereafter coming into your possession or custody and all debts coming due from you to the judgment debtor.

CIVIL PRACTICE LAW AND RULES

Section 5222(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor or obligor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he or she has an interest, except upon direction of the sheriff or pursuant to an order of the court, until the judgment or order is satisfied or vacated. A restraining order served upon a person other than the judgment debtor or obligor is effective only if, at the time of service, he or she owes a debt to the judgment debtor or obligor or he or she is in the possession or custody of property in which he or she knows or has a reason to believe the judgment debtor or obligor has an interest, or if the judgment creditor or support collection unit has stated in the notice that a specified debt is owed by the person served to the judgment debtor or obligor or that the judgment debtor or obligor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor or obligor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor or obligor, shall be subject to the notice. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff or the support collection unit, except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him or her, or until the judgment or order is satisfied or vacated, whichever event first occurs. A judgment creditor or support collection unit which has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor or obligor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor or obligor in an amount equal to twice the amount due on the judgment or order, the restraining notice is not effective as to other property or money.

(Excerpt from CPLR 5221 (a)(3/4): "Answers shall be made in writing under oath by the person upon whom served, if an individual, or by an officer, director, agent or employee having the information, if a corporation, partnership or sole proprietorship. Each question shall be answered separately and fully and each answer shall refer to the question to which it responds. Answers shall be returned together with the original of the questions within seven days after receipt." If space is not sufficient, utilize the last page to answer, giving the number of the question answered

Funds defined as "exempt" or otherwise excluded under applicable law must not be restrained under this notice. If you have any questions regarding such funds, refer to the attached information subpoena, or contact your attorney or the undersigned.

TAKE FURTHER NOTICE that disobedience of Restraining Notice is punishable as a contempt of court.

Dated: 7/11/2006

The name signed must be printed beneath

RESPONSE IS ONLY REQUIRED IF JUDGMENT
DEBTOR(S) HAS EVER HAD A RELATIONSHIP
WITH YOUR INSTITUTION.



Mel S. Harris, ESQ.
Mel Harris and Associates.L.L.C.
Attorney(s) for Plaintiff
116 John Street Suite 1510: New York, New York 10038
(212) 571-4900



LR CREDIT 10, LLC Assignee of: Sears Plaintiff,

-against-

ALTON L BOWENS Defendant(s).

Defendant Information:

Defendant Name: ALTON L BOWENS
Last Known Address: 70 NORTHAMPTON ST APT 4
BUFFALO, NY 14209

DEF'S S.S. NO.: [REDACTED]

THE PEOPLE OF THE STATE OF NEW YORK

To: MANUFACTURERS & TRADERS TC
Address: 1100 WEHRLE DRIVE 2ND FLOOR
WILLIAMSVILLE, NY 14221

GREETING.

WHEREAS, in an action in the above court between LR CREDIT 10, LLC Assignee of: Sears, as plaintiff and ALTON L BOWENS, as defendant (s), who are all the parties named in said action, judgment was entered on 6/2/2006 in favor of plaintiff as judgment creditor and against Defendant(s) as judgment debtor in the amount of 2418.02 of which 2418.02 together with interest from 6/2/2006 remains due and unpaid; and

NOW, THEREFORE WE COMMAND YOU, that you answer in writing under oath, separately and fully, each question in the questionnaire portion of this subpoena, each answer referring to the question to which it responds, and that you return the answers together with original of the questions within 7 days after receipt of this subpoena.

TAKE NOTICE that false swearing or failure to comply with this subpoena is punishable as a contempt of court.

RESTRAINING NOTICE

WHEREAS, it appears that you owe a debt to the judgment debtor or are in possession or in custody of property in which the judgment debtor has an interest. All accounts of deposit whether or not listed above.

TAKE NOTICE that pursuant to subdivision (b) of Section 5222 of the Civil Practice Law and Rules, which is set forth in full herein, you are hereby forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such proceeds or pay over or otherwise dispose of any such debt except as therein provided.

TAKE FURTHER NOTICE that this notice also covers all property in which the judgment debtor has an interest now or hereafter coming into your possession or custody and all debts coming due from you to the judgment debtor.

CIVIL PRACTICE LAW AND RULES

Section 5222(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor or obligor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he or she has an interest, except upon direction of the sheriff or pursuant to an order of the court, until the judgment or order is satisfied or vacated. A restraining order served upon a person other than the judgment debtor or obligor is effective only if, at the time of service, he or she owes a debt to the judgment debtor or obligor or he or she is in the possession or custody of property in which he or she knows or has a reason to believe the judgment debtor or obligor has an interest, or if the judgment creditor or support collection unit has stated in the notice that a specified debt is owed by the person served to the judgment debtor or obligor or that the judgment debtor or obligor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor or obligor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor or obligor, shall be subject to the notice. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff or the support collection unit, except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him or her, or until the judgment or order is satisfied or vacated, whichever event first occurs. A judgment creditor or support collection unit which has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor or obligor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor or obligor in an amount equal to twice the amount due on the judgment or order, the restraining notice is not effective as to other property or money.

(Excerpt from CPLR 5224 (a)(3/4): "Answers shall be made in writing under oath by the person upon whom served, if an individual, or by an officer, director, agent or employee having the information, if a corporation, partnership or sole proprietorship. Each question shall be answered separately and fully and each answer shall refer to the question to which it responds. Answers shall be returned together with the original of the questions within seven days after receipt." If space is not sufficient, utilize the last page to answer, giving the number of the question answered.

Funds defined as "exempt" or otherwise excluded under applicable law must not be restrained under this notice. If you have any questions regarding such funds, refer to the attached information subpoena, or contact your attorney or the undersigned.

TAKE FURTHER NOTICE that disobedience of Restraining Notice is punishable as a contempt of court.

Dated: 8/2/2006

The name signed must be printed beneath

RESPONSE IS ONLY REQUIRED IF JUDGMENT
DEBTOR(S) HAS EVER HAD A RELATIONSHIP
WITH YOUR INSTITUTION.



Mel S. Harris, ESQ.
Mel Harris and Associates, L.L.C.
Attorney(s) for Plaintiff
116 John Street Suite 1510; New York, New York 10038
(212) 571-4900



QUESTIONS AND ANSWERS IN CONNECTION WITH INFORMATION SUBPOENA

State of New York, County of _____ ss: _____, being duly sworn, deposes and says:

that deponent is the _____ of _____
recipient of an information subpoena herein and a copy of questions accompanying said subpoena. The answers set forth below are made from information obtained from the recipient.

(Excerpt from CPLR 5224 (a)(3/4): "Answers shall be made in writing under oath by the person upon whom served, if an individual, or by an officer, director, agent or employee having the information, if a corporation, partnership or sole proprietorship. Each question shall be answered separately and fully and each answer shall refer to the question to which it responds. Answers shall be returned together with the original of the questions within seven days after receipt." If space is not sufficient, utilize the last page to answer, giving the number of the question answered.)

Q1: If your records contain the following information, please state below:

Social Security Number:	[REDACTED]
Date of Birth:	
Home Address:	PO Box 229 Buffalo NY 14209
Home Telephone:	

Q2: Are you holding any property or account of the judgment debtor, in his/her own name or with others, including but not limited to bank accounts, collateral, safe deposit box or financial statement, within one (1) year prior to the date hereof?

<input checked="" type="radio"/> Yes <input type="radio"/> No		If yes, describe as indicated below:			
Title	Type	Number	Balance	Held	
ALTON L. BOWERS	C	9680161801	-1.75	4836.04	
		INCLUDES PENSION		DEPOSITS	

Q3: Please list the last 3 direct deposits:

Name	Phone	Amount
NYS RETIREMENT RET		\$250.27

Q4: Provide judgment debtor's employer. Provide the employer's name, address, and phone number.

Employer Name:	
Employer Address:	NA
Employer Telephone:	

Sworn to before me this 2 day of August, 2006.

Nancy J. Loy
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Nancy J. Loy, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires July 20, 2008
Member, Pennsylvania Association Of Notaries

Margaret Morris

Return To:

Mel S. Harris and Associates, L.L.C.
115 John St; Suite 1510, New York, NY 10038
Inquiries To: (212) 571-4900

QUESTIONS AND ANSWERS IN CONNECTION WITH INFORMATION SUBPOENA

State of New York, County of _____ ss: _____, being duly sworn, deposes and says:

that deponent is the _____ of _____ recipient of an information subpoena herein and a copy of questions accompanying said subpoena. The answers set forth below are made from information obtained from the recipient.

(Excerpt from CPLR 5224 (a)(3/4): "Answers shall be made in writing under oath by the person upon whom served, if an individual, or by an officer, director, agent or employee having the information, if a corporation, partnership or sole proprietorship. Each question shall be answered separately and fully and each answer shall refer to the question to which it responds. Answers shall be returned together with the original of the questions within seven days after receipt." If space is not sufficient, utilize the last page to answer, giving the number of the question answered.)

Q1: If your records contain the following information, please state below:

Social Security Number:	[REDACTED]
Date of Birth:	
Home Address:	PO Box 229 Buffalo NY 14209
Home Telephone:	

Q2: Are you holding any property or account of the judgment debtor, in his/her own name or with others, including but not limited to bank accounts, collateral, safe deposit box or financial statement, within one (1) year prior to the date hereof?

Yes

No If yes, describe as indicated below:

Title	Type	Number	Balance	Held
ALTON L. BOWENS	C	9680167801	-1.75	4836.04
		INCLUDES PENSION DEPOSITS		

Q3: Please list the last 3 direct deposits:

Name	Phone	Amount
MS KENNEDY RET		\$200.27

Q4: Provide judgment debtor's employer. Provide the employer's name, address, and phone number.

Employer Name:	
Employer Address:	NA
Employer Telephone:	

Sworn to before me this 2 day of August, 2006.

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Nancy J. Loy, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires July 20, 2008
Member, Pennsylvania Association Of Notaries

Nancy J. Loy
Notary Public

Maylene Morris

Return To:

M. S. Harris and Associates, L.L.C.

11 John St; Suite 1510, New York, NY 10038

Inquiries To: (212) 571-4900

Mel S. Harris and Associates, L.L.C.
ATTORNEYS AT LAW
116 JOHN STREET Suite 1510
NEW YORK, NY 10038
Tel (866)414-7444 (212)571-4900 Fax (212)571-0965

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
ROBERT WIDHAM
RICHARD ELLISON

ALTON L BOWENS
70 NORTHAMPTON ST APT 4
BUFFALO, NY 14209

ADDRESS SERVICE REQUESTED

Dated: 8/9/2006 ID. 576355-1
Re: LR CREDIT 10, LLC Assignee of: Sears
Original Acct No: 0363634940615
Court: CITY COURT OF THE CITY OF BUFFALO, COUNTY OF ERIE
Index No: B96836-2006
Judgment Date: 6/2/2006
Total Due: \$2461.93
Your Account Representative is: April Burns at ext.3263

Dear ALTON L BOWENS ;

Your bank reports that they have restrained your account and is holding your bank account pursuant to the issuance of a restraining notice by this office in enforcement of the above stated judgment.

State and federal laws prevent certain money or property from being taken to satisfy judgments or orders. Such money or property is said to be "exempt". The following is a partial list of money which may be exempt:

- | | |
|---|------------------------------------|
| 1. Supplemental security income, (SSI); | 6. Disability benefits; |
| 2. Social security; | 7. Workers compensation benefits; |
| 3. Public assistance (welfare); | 8. Public or private pensions; and |
| 4. Alimony or child support; | 9. Veterans benefits. |
| 5. Unemployment benefits; | |

If you think that any of your money that has been taken or held is exempt, you must act promptly because the money may be applied to the judgment or order.

Kindly contact this office immediately upon receipt hereof with regard to resolving this matter.

Very truly yours,



Mel Harris and Associates, L.L.C.

This is a debt collection firm. This is an attempt to collect a debt.
Any information obtained will be used for that purpose.

QUESTIONS AND ANSWERS IN CONNECTION WITH INFORMATION SUBPOENA

State of New York, County of ERIE ss: _____, being duly sworn, deposes and says:that deponent is the WDA of KELLY C. INCLIMA
recipient of an information subpoena herein and a copy of questions accompanying said subpoena. The answers set forth below are made from information obtained from the recipient.

(Excerpt from CPLR 5224 (a)(3/4): "Answers shall be made in writing under oath by the person upon whom served, if an individual, or by an officer, director, agent or employee having the information, if a corporation, partnership or sole proprietorship. Each question shall be answered separately and fully and each answer shall refer to the question to which it responds. Answers shall be returned together with the original of the questions within seven days after receipt." If space is not sufficient, utilize the last page to answer, giving the number of the question answered.)

Q1: If your records contain the following information, please state below:

Social Security Number:	[REDACTED]
Date of Birth:	[REDACTED] 137
Home Address:	PO BOX 225, BFLC NY 14209
Home Telephone:	716-884-0198

Q2: Are you holding any property or account of the judgment debtor, in his/her own name or with others, including but not limited to bank accounts, collateral, safe deposit box or financial statement, within one (1) year prior to the date hereof?

Yes No If yes, describe as indicated below:

Title	Type	Number	Balance	Held
Altaw L Bawzys	Chk	9832462538	\$ 8.97	UP TO DBI JUDGE M3.5

Balances Provided
May not Reflect Unposted
Transactions or Legal
Document Docket

Q3: Please list the last 3 months of fees

Name	Phone	Amount
BFLC BOARD OF ED		790.36
		867.52

Q4: Provide judgment debtor's employer. Provide the employer's name, address, and phone number.

Employer Name:	BOARD OF EDUCATION
Employer Address:	
Employer Telephone:	

Sworn to before me this _____ day, _____, 20__.

Notary Public

Return To:

Mel S. Harris Associates,
116 John St, Suite 1510, New York, NY 10038
Inquiries To: (212) 571-4900KELLY C. INCLIMA
M&T BANK

~~Mel S. Harris and Associates, L.P.C.~~
ATTORNEYS AT LAW
116 JOHN STREET Suite 1510
NEW YORK, NY 10038
Tel (866)414-7444 (212)571-4900 Fax (212)571-0965

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
ROBERT WIDHAM
RICHARD ELLISON

ALTON L BOWENS
70 NORTHAMPTON T APT 4
BUFFALO, NY 14201

ADDRESS SERVICE REQUESTED

Dated: 8/10/2006 ID. 576355-1
Re: LR CREDIT 10,1 C Assignee of: Sears
Original Acct No: 03. 634940615
Court: CITY COURT OF THE CITY OF BUFFALO, COUNTY OF ERIE
Index No: B96836-2005
Judgment Date: 6/2/2006
Total Due: \$2461.93
Your Account Representative is: April Burns at ext. 3263 at ext.

Dear ALTON L BOWENS ;

Your bank reports that they have restrained your account and is holding your bank account pursuant to the issuance of a restraining notice by this office in enforcement of the above stated judgment.

State and federal laws prevent certain money or property from being taken to satisfy judgments or orders. Such money or property is said to be "exempt". The following is a partial list of money which may be exempt:

- | | |
|---|------------------------------------|
| 1. Supplemental security income, (SSI); | 6. Disability benefits; |
| 2. Social security; | 7. Workers compensation benefits; |
| 3. Public assistance (welfare); | 8. Public or private pensions; and |
| 4. Alimony or child support; | 9. Veterans benefits. |
| 5. Unemployment benefits; | |

If you think that any of your money that has been taken or held is exempt, you must act promptly because the money may be applied to the judgment or order.

Kindly contact this office immediately upon receipt hereof with regard to resolving this matter.

Very truly yours,



Mel Harris and Associates, L.P.C.

This is a debt collection firm. This is an attempt to collect a debt.
Any information obtained will be used for that purpose.

Substitute Teachers

LR CREDIT 10, LLC Assignee of: Sears

Plaintiff,

Index No. B96836-2006

INFORMATION SUBPOENA
AND QUESTIONNAIRE

-AGAINST-

ALTON L BOWENS

Respondent(s)

DEF'S S.S. NO. 176285955

LAST KNOWN ADDRESS: 701 NORTHAMPTON ST APT 4
BUFFALO, NY 14209

AUG 16 2006

THE PEOPLE OF THE STATE OF NEW YORK

To: BUFFALO BOARD OF EDUCATION -Payroll Department
65 NIAGARA SQ
BUFFALO, NY 14202
(716)811-3500

HIT Payroll Department

WHEREAS, in an action in the CITY COURT OF THE CITY OF BUFFALO, COUNTY OF ERIE between LR CREDIT 10, LLC Assignee of: Sears, as plaintiff and ALTON L BOWENS, as defendant, who are all the parties named in said action, judgment was entered on 06/02/2006 in favor of LR CREDIT 10, LLC Assignee of: Sears as judgment creditor and against ALTON L BOWENS as judgment debtor in the amount of \$2418.02, of which \$2418.02 together with interest thereon from 06/02/2006 remains due and unpaid;

NOW, THEREFORE WE COMMAND YOU, that you answer in writing under oath, separately and fully, each question in the questionnaire portion of this subpoena, each answer referring to the question to which it responds, and that you return the answers together with original of the questions within 7 days after receipt of this subpoena.

TAKE NOTICE: False swearing or failure to comply with this subpoena is punishable as a contempt of court. WE HAVE REASON TO BELIEVE THAT YOUR FIRM MAINTAINS NECESSARY INFORMATION OF THE ABOVE NAMED JUDGMENT DEBTOR. PLEASE PROVIDE THE FOLLOWING INFORMATION:

SSN: [REDACTED] HOME TEL: (716) 836-2793
HOME ADDRESS: P.O. BOX 229, Buffalo, NY 14209
EMPLOYER: Buffalo Board of Education TEL: (716) 816-3699
WORK ADDRESS: 720 City Hall, Buffalo NY 14202
PAYROLL ADDRESS: 720 City Hall, Buffalo NY 14202
CURR SAL: \$108/Day VERY TWO WEEKS ACTIVE GARNISHMENT No Bal:
BANK: Mt T Bank DIRECT DEPOSIT [Y/N]: Y ACCOUNT: 9832042538
STOCK AND SECURITIES ACCOUNT(S):

☐ I am indigent: ☐ I have no information on Defendant. Please mail back.

RESPONSE: IN LIEU OF QUESTIONNAIRE ACCEPTABLE PROVIDING ALL QUESTIONS ANSWERED.
CIVIL PRACTICE LAW AND RULES

*Excerpt from CPLR Section 5224(a) "Answers shall be made in writing under oath by the person upon whom served, if an individual having the information, if a corporation, partnership or sole proprietorship. Each question shall be answered completely and fully and each answer shall refer to the question to which it responds. Answers shall be returned together with the original of the questions within seven days after receipt." *Excerpt from CPLR 5224(b) "A judgment debtor served with a subpoena under this section and any other person served with an information subpoena shall not be entitled to any fee..."

Date: 08/16/2006

Return Mail Address:

Attorneys for Judgment Creditor
S. Harris and Associates, LLC
111 John Street Suite 1510
New York, NY 10038
Tel: (212) 660-1013
(212) 571-4900 EXT 3215

ID. 5763



JOHN J. GRUBER

Present: Hon. _____

CITY COURT OF BUFFALO
COUNTY OF ERIE, STATE OF NEW YORK

LR CREDIT 10, LLC
C/O L-CREDIT, LLC
315 PARK AVENUE SOUTH
NEW YORK, NY 10010,
Plaintiff,

APR 2 - REC'D

576355-1

-against-

INDEX NUMBER B96836-2006

ALTON BOWENS,

ORDER TO SHOW CAUSE

Defendant.

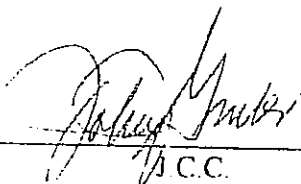
Upon the affidavit of ALTON BOWENS, sworn to on the 15th day of , March, 2007, with Exhibits attached thereto, the judgment by default entered herein on the 2nd day of June, 2006, and upon all the papers and proceedings had herein,

Let the plaintiff, LR CREDIT 10, LLC, show cause at a Special Term of this court to be held at the courthouse thereof, located at 50 Delaware Avenue, Buffalo, New York 14202, at 9:30 ^{at 9:30} April 4, 2007 o'clock A.m. of that day, or as soon thereafter as counsel can be heard, why an order pursuant to CPLR 3215(a) (4) should not be made relieving the defendant, ALTON BOWENS from the judgment by default entered herein on the 2nd day of June, 2006, and vacating and setting aside said judgment upon the ground that the court lacked jurisdiction to render such judgment in that a summons and complaint were never served upon the defendant, and why the defendant, ALTON BOWENS should not have such other and further relief as may be just and equitable - including Plaintiff's reimbursement of any fee charged by Defendant's bank, to process the Restraining Notice served on the bank by Plaintiff, based upon said default judgment, and it is

ORDERED, that Plaintiff and the Plaintiff's attorney and all other persons acting through them or on their behalf, be and are, stayed pending the determination of this motion, from any or all proceedings to enforce or collect said judgment.

Sufficient reason appearing therefor, let service, by Overnight mail, of a copy of this order, together with the papers upon which it is granted, upon plaintiff's attorney, Mel S. Harris and Associates, LLC, 116 John Street, Suite 1510, New York, New York 10038, on or before the 31st day of March, 2007, be deemed sufficient service.

Enter,


J.C.C.

576355-1

Present: Hon. Philip Marshall

CITY COURT OF BUFFALO
COUNTY OF ERIE, STATE OF NEW YORK

LR CREDIT 10, LLC
C/O L-CREDIT, LLC
315 PARK AVENUE SOUTH
NEW YORK, NY 10010,
Plaintiff,

-against-

INDEX NUMBER B96836-2006

ALTON BOWENS,

ORDER

Defendant.

Upon reading and filing the Order to Show Cause, dated the 30th day of March, 2007, the affidavit of ALTON BOWENS, sworn to on the 29th day of March, 2007, in support thereof, and

NO OPPOSING PAPERS OR COUNSEL

In opposition thereto, and

After hearing the argument of ALTON BOWENS, Defendant, *Pro Se* and

PMH MEL S. HARRIS & ASSOCIATES, LLC, for Plaintiff and due deliberation having been had thereon, it is hereby

ORDERED that, the judgment by default entered herein on the 2nd day of June, 2006, is hereby vacated and set aside, pursuant to CPLR 5015(a)(4), upon the ground that the court lacked jurisdiction to render such judgment therein, in that a summons and complaint were never served upon the defendant, and it is further

ORDERED that Defendant, ALTON BOWENS shall be reimbursed by Plaintiff for ~~any~~ ^{\$75.00} fee charged by Defendant's bank, to process the Restraining Notice served on Defendant's bank by Plaintiff, in addition to ~~any other monies held by Plaintiff~~, based upon said default judgment. *EMH*

APR 4 2007

Enter,

Chris L. Mancini

J.C.C.

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
ROBERT WIDHAM
RICHARD ELLISON
AMANDA PEREZ

Mel S. Harris and Associates, LLC

ATTORNEYS AT LAW
Tel (866)414-7444 (212)571-4900
Fax (212)571-0965

Case 1:07-cv-00459-WMS-LGF Document 1 Filed 07/16/07 Page 46 of 58

Address for Correspondence:
116 John Street Suite 1510
New York, NY 10038

Address for Payments:
LR CREDIT
PO BOX 30132 General Post Office
New York, NY 10087-0132

ALTON L BOWENS
36 JANET STREET
BUFFALO, NY 14209

RELEASE

Dated: 4/3/2007

ID. 576355-1

Re: LR CREDIT 10, LLC

VS: ALTON L BOWENS

Index No: B96836-2006

Dear ALTON L BOWENS :

Enclosed herewith is a copy of request to Bank(s) to withdraw the restraint(s) in this matter.

Please contact me with any questions.

Very truly yours,



Mel S. Harris and Associates, L.L.C.
Attorney(s) For Judgment Creditor(s)

This is a debt collection firm. This is an attempt to collect a debt.
Any information obtained will be used for that purpose.

TRANSMISSION VERIFICATION REPORT

TIME : 04/03/2007 08:36
NAME : MSH LEGAL
FAX : 12125713584
TEL : 12125714900
SER.# : 000M5J426607

DATE, TIME 04/03 08:36
FAX NO./NAME 17188564670
DURATION 00:00:00
PAGE(S) 00
RESULT BUSY
MODE STANDARD

BUSY: BUSY/NO RESPONSE

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

Mel S. Harris and Associates, LLC
ATTORNEYS AT LAW
Tel (866)414-7444 (212)571-4900
Fax (212)571-0965

Address for Correspondence:
116 John Street Suite 1510
New York, NY 10038

SETH H. SCHLANGER
ROBERT WIDHAM
RICHARD ELLISON
AMANDA PEREZ

Address for Payments:
LR CREDIT
PO BOX 30132 General Post Office
New York, NY 10087-0132

CITY COURT OF THE CITY OF BUFFALO, COUNTY OF ERIE
50 DELAWARE AVENUE
BUFFALO, NY 14202
Attention: Presiding Judge/Motion Clerk

Dated: 4/2/2007
Re: LR CREDIT 10, LLC
Index No: B96836-2006
MSH File #: 576355-1


vs. ALTON L BOWENS

RETURN DATE: 4/4/07

Dear Presiding Judge/Motion Clerk:

Attorney for the plaintiff hereby requests that this matter be adjourned as plaintiff did not receive defendant's order to show cause until Saturday, when the office was closed and it would be unfair and prejudicial to the plaintiff to proceed on such short notice.

Very truly yours,


MEL S. HARRIS AND ASSOCIATES, LLC.
By: Robert Widham, Esq., Direct extension: 3208

This is a debt collection firm. This is an attempt to collect a debt.
Any information obtained will be used for that purpose.

CC:
ALTON L BOWENS
WESTHAMPTON ST ART 4

TRANSMISSION VERIFICATION REPORT

TIME : 04/02/2007 15:03
NAME : MSH LEGAL
FAX : 12125713584
TEL : 12125714900
SER. # : 000MSJ426607

DATE, TIME 04/02 15:03
FAX NO./NAME 14125667119
DURATION 00:00:30
PAGE(S) 01
RESULT OK
MODE STANDARD
ECM

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
ROBERT WIDHAM
RICHARD ELLISON
AMANDA PEREZ

Mel S. Harris and Associates, LLC
ATTORNEYS AT LAW
Tel (866)414-7444 (212)571-4900
Fax (212)571-0965

Address for Correspondence:
116 John Street Suite 1510
New York, NY 10038

Address for Payments:
LR CREDIT
PO BOX 30132 General Post Office
New York, NY 10087-0132

CITIZEN BANK
525 WILLIAM PENN PL BLDG 1532618
PITTSBURG, PA 15219

RELEASE

Dated: 4/2/2007

ID. 576355-1

Re: LR CREDIT 10, LLC

SSN: [REDACTED]

VS: ALTON L BOWENS

Index No: B96836-2006

Your Account Representative is: Tylesha Sanders at ext.3261

Gentlemen:

This letter will serve as your authorization to release the bank account(s) being restrained in regard to the above entitled action.

I herewith withdraw the information subpoena and restraining notice previously served herein.

Thank you for the courtesy of giving this matter your earliest attention.

Very truly yours,

TRANSMISSION VERIFICATION REPORT

TIME : 04/02/2007 15:03
NAME : MSH LEGAL
FAX : 12125713504
TEL : 12125714900
SER.# : 000MSJ426607

DATE, TIME	04/02 15:03
FAX NO./NAME	14125667119
DURATION	00:00:30
PAGE(S)	01
RESULT	OK
MODE	STANDARD
	ECM

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
ROBERT WIDHAM
RICHARD ELLISON
AMANDA PEREZ

Mel S. Harris and Associates, LLC
ATTORNEYS AT LAW
Tel (866)414-7444 (212)571-4900
Fax (212)571-0965

Address for Correspondence:
116 John Street Suite 1510
New York, NY 10038

Address for Payments:
LR CREDIT
PO BOX 30132 General Post Office
New York, NY 10087-0132

CITIZEN BANK
525 WILLIAM PENN PL BLDG 1532618
PITTSBURG, PA 15219

RELEASE

Dated: 4/2/2007

ID. 576355-1

Re: LR CREDIT 10, LLC

SSN: [REDACTED]

VS: ALTON L BOWENS

Index No: B96836-2006

Your Account Representative is: Tylesha Sanders at ext.3261

Gentlemen:

This letter will serve as your authorization to release the bank account(s) being restrained in regard to the above entitled action.

I herewith withdraw the information subpoena and restraining notice previously served herein.

Thank you for the courtesy of giving this matter your earliest attention.

Very truly yours,

TRANSMISSION VERIFICATION REPORT

TIME : 04/02/2007 15:04
NAME : MSH LEGAL
FAX : 12125713584
TEL : 12125714900
SER.# : 000M5J426607

DATE, TIME	04/02 15:04
FAX NO./NAME	17166357725
DURATION	00:00:20
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
ROBERT WIDHAM
RICHARD ELLISON
AMANDA PEREZ

Mel S. Harris and Associates, LLC
ATTORNEYS AT LAW
Tel (866)414-7444 (212)571-4900
Fax (212)571-0965

Address for Correspondence:
116 John Street Suite 1510
New York, NY 10038

Address for Payments:
LR CREDIT
PO BOX 30132 General Post Office
New York, NY 10087-0132

MANUFACTURERS & TRADERS TC
5930 MAIN STREET
WILLIAMSVILLE, NY 14221

RELEASE

Dated: 4/2/2007

ID. 576355-1

Re: LR CREDIT 10, LLC

SSN: [REDACTED]

VS: ALTON L BOWENS

Index No: B96836-2006

Your Account Representative is: Tylesha Sanders at ext. 3261

Gentlemen:

This letter will serve as your authorization to release the bank account(s) being restrained in regard to the above entitled action.

I herewith withdraw the information subpoena and restraining notice previously served herein.

Thank you for the courtesy of giving this matter your earliest attention.

Very truly yours,

TRANSMISSION VERIFICATION REPORT

TIME : 04/03/2007 08:32
NAME : MSH LEGAL
FAX : 12125713584
TEL : 12125714900
SER.# : 000M5J426607

DATE, TIME 04/03 08:32
FAX NO./NAME 17168564570
DURATION 00:00:23
PAGE(S) 01
RESULT OK
MODE STANDARD
ECM

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

Mel S. Harris and Associates, LLC
ATTORNEYS AT LAW
Tel (866)414-7444 (212)571-4900
Fax (212)571-0965

SETH H. SCHLANGER
ROBERT WIDHAM
RICHARD ELLISON
AMANDA PEREZ

Address for Correspondence:
116 John Street Suite 1510
New York, NY 10038

Address for Payments:
LR CREDIT
PO BOX 30132 General Post Office
New York, NY 10087-0132

CITY COURT OF THE CITY OF BUFFALO, COUNTY OF ERIE
50 DELAWARE AVENUE
BUFFALO, NY 14202
Attention: Presiding Judge/Motion Clerk

Dated: 4/2/2007
Re: LR CREDIT 10, LLC vs. ALTON L BOWENS
Index No: 896836-2006
MSH File #: 576355-1

RETURN DATE: 4/4/07

Dear Presiding Judge/Motion Clerk:

Attorney for the plaintiff hereby requests that this matter be adjourned as plaintiff did not receive defendant's order to show cause until Saturday, when the office was closed and it would be unfair and prejudicial to the plaintiff to proceed on such short notice.

Very truly yours,



MEL S. HARRIS AND ASSOCIATES, LLC.
By: Robert Widham, Esq., Direct extension: 3208

This is a debt collection firm. This is an attempt to collect a debt.
Any information obtained will be used for that purpose.

cc:
ALTON L BOWENS
70 NORTHAMPTON ST APT 4

MEL S. HARRIS
DAVID WALDMAN
KERRY H. LUTZ

SETH H. SCHLANGER
ROBERT WIDHAM
RICHARD ELLISON
AMANDA PEREZ

ATTORNEYS AT LAW
Tel (866)414-7444 (212)571-4900
Fax (212)571-0965

Address for Correspondence:
116 John Street Suite 1510
New York, NY 10038

Address for Payments:
LR CREDIT
PO BOX 30132 General Post Office
New York, NY 10087-0132

CITY COURT OF THE CITY OF BUFFALO, COUNTY OF ERIE
50 DELAWARE AVENUE
BUFFALO, NY 14202
Attention: Presiding Judge/Motion Clerk

Dated: 4/2/2007
Re: LR CREDIT 10, LLC vs. ALTON L BOWENS
Index No: B96836-2006
MSH File #: 576355-1

RETURN DATE: 4/4/07

Dear Presiding Judge/Motion Clerk:

Attorney for the plaintiff hereby requests that this matter be adjourned as plaintiff did not receive defendant's order to show cause until Saturday, when the office was closed and it would be unfair and prejudicial to the plaintiff to proceed on such short notice.

Very truly yours,



MEL S. HARRIS AND ASSOCIATES, LLC.
By: Robert Widham, Esq., Direct extension: 3208

This is a debt collection firm. This is an attempt to collect a debt.
Any information obtained will be used for that purpose.

cc:
ALTON L BOWENS
70 NORTHAMPTON ST APT 4
BUFFALO, NY 14209

Richard Ellison

From: Richard Ellison
Sent: Monday, April 02, 2007 5:41 PM
To: Orlando Berrios
Cc: Anthony Williams; Robert Widham
Subject: 576355-1 ALTON L BOWENS

OSC 4/4 BUFFALO CITY COURT

Orlando:

This is on For OSC 4/4—RW is requesting an adjournment based on short service per client request—

Anyway pls attempt settlement. Def she does not deny the debt only the amt, perhaps we can settle. You may advise her we are requesting an adjournment for OPP

Lemme know. Thanks

Richard Ellison, Esq.
MEL S. HARRIS & ASSOCIATES, LLC. ("MSH")
116 John Street, 15th Floor
New York, New York 10038
Telephone: 212 571 4900 Ext. 3276
Facsimile: 212 660 1004
E-mail: rellison@melharrisllaw.com

4/2/2007

Richard Ellison

From: Richard Ellison
Sent: Monday, April 16, 2007 1:00 PM
To: Robert Widham
Cc: Cindy Jerez; Cartina McTier; Anthony Williams
Subject: 576355-1 ALTON L BOWENS
Attachments: {F694A24E-6E47-4168-917C-0A3BFEB976A8}.tif

See attached D/o

Could we determine if this matter will be set for a pretrial—or perhaps been dismissed for bad service?

The court specifically found def was not served yet did not dismiss.

If it was / is dismissed we may wish to re-sue as we now have def address at 36 Janet Street Buffalo NY –and def admits to having a SEARS acct but will not say how much she owes—see OSC

Thanks

Richard Ellison, Esq.
MEL S. HARRIS & ASSOCIATES, LLC. ("MSH")
116 John Street, 15th Floor
New York, New York 10038
Telephone: 212 571 4900 Ext. 3276
Facsimile: 212 660 1004
E-mail: rellison@melharrisllaw.com

4/16/2007

RECEIVED

APR 25 2008

576355-1

VALIDATION

To: L.R. Credit 10 LLC
C/o L. Credit LLC
315 Park Avenue South
New York, NY 1001

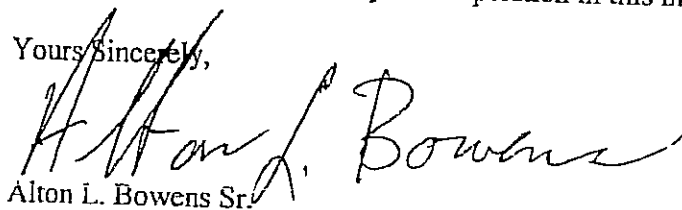
From: Alton L. Bowens Sr.
36A Janet Street
Buffalo, New York 14215

This letter is for the purpose of establishing, what if any responsibility and or legal liability is owed the above mentioned as principle agent or assignee of another. Therefore the following request is made.

1. Are you an agent principle or assignee of another and what is the name?
2. The contract or agreement that legally designated you as one of the above.
3. Any and all agreements contract etc. that would bind me(Alton L. Bowens)
 - A. Date of agreement
 - B. Schedule of payment
 - C. Balance if any
4. Any and all other pertinent information you may have in your possession in this related matter, that might establish a debt.

Thanking you in advance for your cooperation in this matter.

Yours Sincerely,


Alton L. Bowens Sr.

RECEIVED

7 16/07

ALTON L. BOWENS
329 JAVET ST.
BUFFALO N.Y. 14215

RETURN RECEIPT
REQUESTED

J.R. Credit 10 K K C
J.R. Credit K K C
315 Pave Ave. South
Buffalo NY 14215
10010-3607

RETURN RECEIPT
REQUESTED



7006 2760 0004 5595 5698



0000



10010



\$464

U.S. POSTAGE
PAID
BUFFALO, NY
14215
APR 20, 07
AMOUNT

7000 1670 0004 1709 4462

Postage		\$	Postmark Here
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees		\$	576355-1
Sent To ALTON L. BOWENS Street, Apt. No., or PO Box No. 36 JANET STREET City, State, ZIP+4 BUFFALO, N.Y. 14209			
Use Green Stamp - May 2000		See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

Case 1:07-cv-00459-WMS-LGF Document 1-1 Filed 07/13/07 Page 58 of 58

1. Article Addressed to:
- ALTON L. BOWENS
36 JANET STREET
BUFFALO, N.Y. 14204
2. Article Number
(Transfer from service label) 70001670000417094462

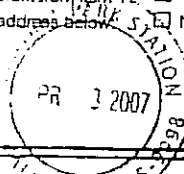
3. Signature ☒ Agent ☐ Addressee

Alton L. Bowens

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 12? ☒ Yes ☐ No
If YES, enter delivery address below



3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540